

## REMARKS

### Introduction

The above amendments and these remarks are responsive to the Office action mailed December 12, 2005 and to the Advisory Action mailed April 17, 2006.

Applicants filed a response to the Office action on March 10, 2006, proposing amendments to claims 10, 12, and 13, and presenting new claims 20–22. The Advisory Action indicates that the proposed amendments were not entered because they raise new issues that would require further consideration and/or search. Applicants respectfully disagree, but present the same amendments and claims herein as a Request for Continued Examination in compliance with 37 CFR 1.114.

Claims 1–9 and 19 are herein canceled without prejudice, and the rejections of these claims are accordingly moot. The remaining claims 10–18 were rejected as follows:

- Claims 10–18 were rejected as anticipated by U.S. Patent No. 4,739,992 to May;
- Claims 10–16 and 18 *also* were rejected as anticipated by U.S. Patent No. 6,446,969 to Denoual; and
- Claim 17 *also* was rejected as obvious over Denoual in view of May.

Claims 10, 12, and 13 have been amended and are now in condition for allowance. New claims 20–22 are added. The amendments and new claims are supported in the application as filed, and no new matter is entered (*see, e.g.*, paragraphs [0027]–[0035] and Figs. 4–13, describing methods of game play). The remaining rejections are believed to be overcome. In light of the explanatory remarks below, applicants respectfully request allowance of the pending claims.

### Rejections under 35 USC § 102

Independent claim 10 is amended to recite, in part, “*manipulating a first game piece displaying first player alignment indicia so that the directional indicia of the first game piece indicates a game piece displaying second player alignment indicia.*” Applicants note that neither of the references relied upon for the rejection of this claim disclose or suggest at least this step.

For example, the game play taught by May does not include any reference to such a step. The portion of the reference cited in the Office action is limited to a suggestion of flipping a captured game piece (3:51-59). However, the methods of game play disclosed do not teach or suggest manipulating a first game piece as recited in claim 10. Indeed, the disclosed method of game play does not indicate that directional indicia are even used (4:12–5:36).

Similarly, the game play taught by Denoual lacks any teaching or suggestion that game pieces are manipulated as recited in amended claim 10; indeed, as noted previously, the indicia on the Denoual game pieces (a ring or circle located in the exact center of a circularly shaped game piece) cannot indicate a direction, much less indicate another game piece.

Also, neither reference discloses or suggests “*turning the indicated game piece to display the same player alignment indicia as that displayed on the first game piece,*” as recited in amended claim 10. As discussed above, neither reference discloses manipulating game pieces to indicate other game pieces. It follows that neither reference discloses turning any game pieces so indicated.

Thus, since the cited references have been demonstrated to lack at least two steps recited in claim 10, the rejections are believed to be moot. Accordingly, applicants request that the rejections of claim 10, and of all pending claims depending therefrom, be withdrawn.

**Rejections under 35 USC § 103**

As demonstrated above, neither of the cited references discloses at least the aforementioned elements, or steps, of amended claim 10. It follows that the proposed combination of references fails to render pending claim 17, which depends from claim 10, obvious.

**Conclusion**

Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowance covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 12, 2006.

  
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Respectfully submitted,

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